IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 9TH AUGUST 2006 / 18TH SRAVANA 1928

Bail Appl..No. 4837 of 2006

CRMP.2380/2006 of DISTRICT COURT, PALAKKAD
CRIME NO. 52/2006 OF MALAMPUZHA POLICE STATION

.....

PETITIONER/ACCUSED:

SAMBHUKUMAR, S/O. VELAYUDHAN,
KALATHIL HOUSE, KADUKKAMKUNNAM, MALAMPUZHA,
PALAKKAD.

BY ADV. SRI.VINOD KUMAR.C

RESPONDENTS: RESPONDENT:

STATE REPRESENTED BY S.I. OF POLICE,
MALAMPUZHA, THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/08/2006, ALONG WITH B.A. 4839/06, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.Nos. 4837/06 & 4839/06

DATED THIS THE 9TH DAY OF AUGUST, 2006

O R D E R

The petitioner in B.A.No.4837/06 is the 14th accused and the petitioner in B.A.No.4839/06 is the 12th accused, in crime No.52/2006 of Malampuzha Police Station. The offence alleged against them and others are under Sections 143, 147, 148, 341 and 307 IPC read with Section 149 IPC.

2. The facts reveal that there are thirteen accused, who had been named in the FIR and ten persons, who could be identified at site, because of the political rivalry, attacked the defacto complainant and two others with weapons like knife, iron pipe and sword and caused various injuries. The petitioners are before this Court, under Section 438 Cr.P.C.

3. The Sessions Court, who considered the matter, found that because of the political rivalry the accused had caused injuries on the defacto complainant and others.

4. I heard the arguments advanced by the learned counsel and the learned Public Prosecutor. Considering the materials that are placed before me, I direct the petitioners to surrender before the Investigating Officer, who is investigating crime No.52/2006 of Malampuzha Police station, on 16.8.2006 between 10.00 a.m and 11.00 a.m. The Investigating Officer shall interrogate the petitioners and produce them before the Court below, as per the law. The petitioners may move an application for bail, on their production. The Investigating Officer is at liberty to move an application for the custodial interrogation, if found necessary. In such situation, the learned Magistrate shall consider those applications and pass orders, as per the law.

The application is closed as above.

J.M.JAMES
JUDGE

mrcs